

IN SENATE OF THE UNITED STATES.

JUNE 20 1848.

Submitted, and ordered to be printed.

Mr. WESTCOTT made the following

REPORT:

[To accompany bill H. R., No. 402.]

The Committee of Claims, to whom was referred bill H. R. No. 402, entitled "An act for the relief of Eleanora B. Watkins, widow of Gassaway Watkins," report:

The bill passed by the House proposes to allow Mrs. Watkins, "*widow*" of Gassaway Watkins, fifty-eight dollars and thirty-five cents, with interest from the 1st of August, 1780; (which, with the principal, will now amount to nearly three hundred dollars;) and, the bill states, "it being the amount called for by outstanding, final settlement certificate, letter D, No. 82,784, issued August, 1784, by John Pearce, late commissioner of army accounts, in favor of Gassaway Watkins."

It is alleged in the petition that the certificate is lost, or mislaid; but there is no *proof whatever* of this fact adduced to the committee, nor does the bill require such proof to be made before payment under it. Its ancient date is the only circumstance upon which the presumption can be founded that it is lost. A like presumption exists that it may have been transferred by Mr. Watkins, or his legal representative; and a similar presumption exists, *that it has been paid*. The evidence respecting the certificate is an extract from the treasury books, giving its number, date, amount, &c., taken from a tabular statement which is certified by Mr. Gillet, late register, to be correct; and taken from the list of outstanding and unpaid final settlement certificates, &c. Why this claim was not presented by Mr. Gassaway for payment, is not shown. The committee not being entirely satisfied of the justice of the claim, addressed a letter to the present Register of the Treasury on the subject. His reply is as follows:

TREASURY DEPARTMENT,
Register's Office, June 16, 1848.

SIR: I have the honor to state, that the final settlement certificate for \$58 $\frac{2}{9}$ $\frac{5}{10}$, in the name of Gassaway Watkins, referred to in

the papers received from you this morning, has not been paid; nor is there, at present, any provision by law, even should it not have been lost, for its payment; the appropriation of the 14th July, 1843, for the payment of outstanding and unpaid loan office and final settlement certificates having expired on the 31st December, 1843. Since that time, Congress has made special provision for their payment, on presentation, and in one case, per act of the 3d March, 1847, for the payment of an outstanding final settlement certificate of \$760 and interest, which had been lost.

The papers are returned.

I have the honor to be, sir, your obedient servant,

DANIEL GRAHAM, *Register.*

Hon. J. D. WESTCOTT,

Senate United States.

The register's letter does not satisfy the committee fully that this claim, *now sixty-seven years old*, is just. No explanation, whatever, is given of the delay in asking payment heretofore. As to the House bill, the committee cannot recommend its passage in its present form. The bill should not authorize the payment to the "widow," but it should be to the *legal representatives* of the holder of the certificate. It should require satisfactory proof that the original certificate was not transferred, or settled, or arranged in any way whatever; and, as the case is now presented, the remissness and neglect in demanding payment not being excused in any way, the committee deem it proper to disallow the interest. Creditors of the government who let their claims sleep for more than half a century, cannot complain of this, when, if just claims, acts of Congress in force at different times would allow their payment on presentation. These stale claims, if they had been duly presented, could have been investigated, and, if objections existed, they could be ascertained, when, at this time, little information can be obtained on the subject. The treasury has been burnt more than once since this claim originated, and, in all probability, papers relating to it destroyed. The trifling amount of the claim has influenced the committee to amend the bill, as suggested, and report it as amended. If it had been a greater amount, they would have been induced to reject the case upon the proof presented.